

BK0366PG0681

BK0366PG0220

STATE MS.-DESOTO CO.

FILED

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

FEB 1 4 18 PM '00

STATE MS.-DESOTO CO.

FILED

JAN 21 3 40 PM '00

## SUBSTITUTED TRUSTEE'S DEED

BK 366 PG 681  
W.F. DAVID CH. CLK.BK 366 PG 220  
W.F. DAVID CH. CLK.

WHEREAS, on April 2, 1992, MIROSLAV JIRAT executed a certain a deed of trust to PATSY B. CAREY, Trustee for the benefit of THOMAS K. CLEVELAND and MARIE CLEVELAND, which deed of trust is recorded in Deed of Trust Book 579 at Page 450, in the office of Chancery Clerk of DeSoto County, Mississippi, said deed of trust conveying in trust the hereinafter described property; and

WHEREAS, the aforesaid, THOMAS K. CLEVELAND and MARIE CLEVELAND, the holder of said deed of trust and the note secured thereby, substituted REBECCA S. THOMPSON, as Trustee therein, as authorized by the terms thereof, by instrument dated December 6, 1999 and recorded in the office of the aforesaid Chancery Clerk in Book 1171 at Page 6, and;

WHEREAS, default having been made in the terms and conditions of said deed of trust and the entire debt secured thereby, having been declared to be due and payable in accordance with the terms of said deed of trust, and the legal holder of said indebtedness, THOMAS K. CLEVELAND and MARIE CLEVELAND having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust and for the purposes of raising the sums due thereunder, together with attorney's fees, Substitute Trustees's fees and expense of sale;

WHEREAS, the undersigned Substituted Trustee, after posting and publication of the Notice of Sale as required by the terms of said deed of trust and the laws of the State of Mississippi, within legal hours (being

between the hours of 11:00 a.m. and 4:00 p.m. ) on the 21st day of January, 2000, at public outcry offered the hereinafter described property for sale at the Main Front Door of the County Courthouse at Hernando, County of DeSoto, State of Mississippi;

WHEREAS, at such sale, THOMAS K. CLEVELAND and wife, MARIE CLEVELAND bid the sum of \$54,027.97 and;

WHEREAS, said bid by THOMAS K. CLEVELAND and wife, MARIE CLEVELAND was the highest bid;

NOW, THEREFORE, I, Rebecca S. Thompson, Substituted Trustee, in consideration of the sum of \$ 54,027.97, do hereby sell and convey unto THOMAS K. CLEVELAND and wife, MARIE CLEVELAND, tenants by the entirety with full rights of survivorship and not as tenants in common, following described property located and situated in the County of DeSoto.

A tract or parcel of land lying and begin situated in the Southwest Quarter of Section 30, Township 3 South, Range 7 West, Desoto County, Mississippi, more particularly described as follows:

Beginning at a point on the East right-of-way line of U.S. Highway 51 opposite Highway Station 95+50 and the intersection with the South right-of-way line of public road known as the Old Belmont Road; thence South 835 feet to the Southwest corner of the W.E. Manning, et ux, 5 acre tract; thence East 521.875 feet to the Southeast corner of the W.E. Manning, et ux, 5 acre tract, which is the Point of Beginning of the herein described tract of land; run thence North along the East line of the W.E. Manning, et ux, 5 acre tract 208.75 feet to a stake; thence East 521.875 feet to a stake on the West right-of-way line of Old Belmont Road; thence South along the West right-of-way line of Old Belmont Road 208.75 feet to a stake; thence West 521.975 feet to the Point of Beginning, containing 2.5 acres, more or less, and being the same property as confirmed in Grantors in Cause Number 11,428 in the Chancery Court of Desoto, Mississippi.

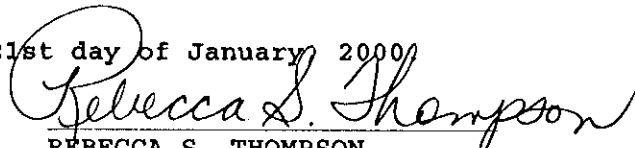
The undersigned Substituted Trustee offered the aforesaid property for sale at public outcry as set forth above, and two appeared at said sale, THOMAS K. CLEVELAND and wife, MARIE CLEVELAND, bidding the sum of Fifty four thousand twenty seven and 97/100 Dollars (\$54,027.97), for all of the above described property, and said property was struck off to THOMAS K. CLEVELAND and wife, MARIE CLEVELAND for said amount, and said bidder was declared the purchaser thereof.

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NOW THEREFORE, in consideration of the premises and the sum of Fifty four twenty seven and 97/100 Dollars (\$54,027.97), cash in hand paid, the receipt of which is hereby acknowledged, I do hereby sell and convey to THOMAS K. CLEVELAND and wife, MARIE CLEVELAND, tenants by the entirety with full rights of survivorship and not as tenants in common all the above described property, conveying only such title as is vested in me as Substituted Trustee.

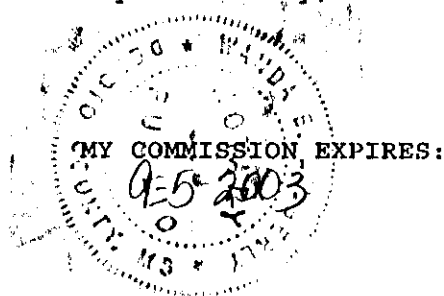
WITNESS MY SIGNATURE, this the 21st day of January, 2000

  
REBECCA S. THOMPSON,  
Substitute Trustee

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally came and appeared before me, the undersigned authority in and for the aforesaid jurisdiction, the within named REBECCA S. THOMPSON, Substituted Trustee in the above and foregoing instrument of writing, who acknowledged that she, as Substituted Trustee, signed and delivered the above and foregoing instrument of writing on the day and for the purposes therein mentioned.

WITNESS MY SIGNATURE AND OFFICIAL SEAL OF OFFICE, this the 21st day of January, 2000.



  
NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY:  
SMITH, PHILLIPS, MITCHELL  
SCOTT & RUTHERFORD  
P. O. Box 346  
Hernando, MS 38632  
601-429-5041

Grantor: 4601 Belmont Road, Hernando, MS 38632  
Bus: N/A Hm. N/A  
Grantee: 1974 Gray's Creek, Hernando, MS 38632  
Bus: 662-429-5776  
Hm: 662-429-5776



## PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

**RUTH DOBBS** personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times Today, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

### SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, ON April 2, 1992, MIROSLAV JIRAT executed a deed of trust to PATSY B. CAREY, Trustee for the benefit of THOMAS K. CLEVELAND and MARIE CLEVELAND, which deed of trust is recorded in Deed of Trust Book 579, at Page 450, in the office of the Chancery Clerk of the County of DeSoto, State of Mississippi, and

WHEREAS, the aforesaid THOMAS K. CLEVELAND and MARIE CLEVELAND, the holders of said deed of trust and the note secured thereby, substituted REBECCA S. THOMPSON, as Trustee therein, as authorized by the terms thereof, by instrument dated December 6, 1999 and recorded in the office of the aforesaid Chancery Clerk in Book 1171, at Page 6, and

WHEREAS, Default having been made in the terms and conditions of said deed of trust and the entire debt secured thereby, having been declared to be due and payable in accordance with the terms of said deed of trust, and the legal holder of said indebtedness, THOMAS K. CLEVELAND and MARIE CLEVELAND having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust for the purpose of raising the sums due thereunder, together with attorney's fees, Substituted Trustee's fees and expense of sale

a.m. and 4:00 p.m.) at the East front door of the County Courthouse at Hernando, County of DeSoto, State of Mississippi, the following described property, situated and lying in the County of DeSoto, State of Mississippi, to-wit:

A tract or parcel of land lying and being situated in the Southwest Quarter of Section 30, Township 3 South, Range 7 West, DeSoto County, Mississippi, more particularly described as follows:

Beginning at a point on the East right-of-way line of U.S. Highway 51 opposite Highway Station 55+50 and the intersection with the South right-of-way line of public road known as the Old Belmont Road, thence South 835 feet to the Southwest corner of the W.E. Manning, et ux, 5 acre tract, thence East 521.875 feet to the Southeast corner of the W.E. Manning, et ux, 5 acre tract, which is the Point of Beginning of the herein described tract of land; run thence North along the East line of the W.E. Manning, et ux, 5 acre tract 208.75 feet to a stake; thence East 521.875 feet to a stake on the West right-of-way line of Old Belmont Road, thence South along the West right-of-way line of Old Belmont Road 208.75 feet to a stake; thence West 521.875 feet to the Point of Beginning, containing 2.5 acres, more or less, and being the same property as confirmed in Grantors in Cause Number 11,428 in the Chancery Court of DeSoto, Mississippi.

I WILL CONVEY only such title as is vested in me as Substituted Trustee. WITNESS MY SIGNATURE, this 28th day of December, 1999.  
REBECCA S. THOMPSON  
SUBSTITUTED TRUSTEE  
Dec. 30, 1999, Jan. 6, 13, 20, 2000

Volume No. 104 on the 30 day of Dec., 1999  
Volume No. 105 on the 6 day of Jan., 2000  
Volume No. 105 on the 13 day of Jan., 2000  
Volume No. 105 on the 20 day of Jan., 2000  
Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2000

Ruth Dobbs  
(TITLE)

Shown to and subscribed before me, this 20 day of Jan., 2000

Balsara & Birken  
BY Notary Public

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: OCT. 31, 2002  
BONDED THRU HEIDEN, BROOKS & GARLAND, INC.

A. Single first insertion of 536 words @ .12 \$ 64.32  
B. 3 subsequent insertions of 1608 words @ .10 \$ 160.80  
C. Making proof of publication and depositing to same 3.00

TOTAL PUBLISHER'S FEE: \$228.12